

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

ELIZABETH BUCHANAN and WILLIAM  
STALLWORTH

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 1:23-CV-290-LG-RPM

STATE FARM FIRE AND CASUALTY  
COMPANY

DEFENDANT

**ORDER GRANTING UNOPPOSED MOTION TO SEVER**

Before the Court is Defendant State Farm Fire and Casualty Company's ("State Farm") Unopposed Motion to Sever. Doc. [5]. Plaintiffs Elizabeth Buchanan and William Stallworth filed this action against State Farm in the Circuit Court of Harrison County, Mississippi. Doc. [1-1]. State Farm removed the action to federal court based on diversity jurisdiction on October 26, 2023. Doc. [1]. State Farm now moves the Court to sever Plaintiffs' claims asserted against it. Doc. [5]. Plaintiffs do not oppose the severance. *Id.* The Court has reviewed the motion and agrees severance is warranted. *See Davis v. City of Moss Point, Miss.*, No. 1:19-cv-364, 2020 WL 12918216, at \*8 (S.D. Miss. Mar. 2, 2020) ("[G]iven the complexity of the other claims raised in the case and the individual circumstances surrounding them which require severance, the Court finds it would be far simpler, more practical, and in the interest of judicial economy to try all of each Plaintiff's claims in separate cases.").

IT IS THEREFORE ORDERED that State Farm's [5] Unopposed Motion to Sever is GRANTED.

IT IS FURTHER ORDERED that:

- (a) Plaintiff Elizabeth Buchanan's claims shall remain in Civil Action 1:23-cv-290-LG-RPM. Plaintiff William Stallworth's claims shall be severed, and the Clerk of Court shall assign a new civil action number to the new civil action for Plaintiff William Stallworth;
- (b) Within thirty days of this Order, each Plaintiff shall file an amended complaint in their respective civil action. Each Plaintiff's amended complaint must set forth factual allegations and claims specific to him or her;
- (c) The Clerk of Court shall copy the record from Civil Action No. 1:23-cv-290-LG-RPM from inception of this case to date, including this Order, and include it as part of the record for the new civil action for Plaintiff William Stallworth. Each of the previous filings in Civil Action No. 1:23-cv-290-LG-RPM will be deemed filed in the new civil action for Plaintiff William Stallworth as of the dates shown on the docket sheet for Civil Action No. 1:23-cv-290-LG-RPM;
- (d) As the party asserting federal jurisdiction, Defendant State Farm Fire and Casualty Company shall, within ten days of this Order, pay the requisite filing fee in the new civil action for Plaintiff William Stallworth; and
- (e) The new civil action for Plaintiff William Stallworth shall remain assigned to United States District Judge Louis Guirola, Jr. and the undersigned magistrate judge.

SO ORDERED AND ADJUDGED, this the 30th day of November 2023.

/s/ Robert P. Myers, Jr.

ROBERT P. MYERS, JR.

UNITED STATES MAGISTRATE JUDGE